

**REMARKS**

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated May 18, 2009, has been received and its contents carefully reviewed.

Claims 1, 6, 8, 10, and 11 are hereby amended. Claims 5, 9, and 12 are canceled without prejudice or disclaimer to the subject matter contained therein. No claims are hereby added. Accordingly, claims 1-4, 6-8, 10, 11, and 13-15 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

**The Office has objected to claim 12 as being in improper dependent form for failing to further limit the subject matter of the claim.** Office Action at p. 2. Without agreeing with the Office, claim 12 has been canceled in order to expedite prosecution of the instant application. Accordingly, the objection of claim 12 is now moot.

**The Office has rejected claims 5-7 and 8-15 under 35 U.S.C. § 112, second paragraph, as being indefinite.** Office Action at p. 2. Without agreeing with the Office, claims 5, 9, and 12 have been canceled, therefore the rejection of these claims is now moot. It is noted that the limitations of claim 5 have been incorporated into independent claim 1, and any alleged indefiniteness has been overcome as claim 1 now clearly recites, "separated from the cabinet." Further, regarding claim 8, the word "felter," has been changed to the word --felt--, as suggested by the Office. Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, of claims 8, 10, 11, and 13-15.

**The Office has rejected claims 1-15 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent No. 5,230,229 to Stadelmann et al. (*Stadelmann* hereafter) in view of Great Britain Patent No. 490,718 to Hoffman (*Hoffman* hereafter).** Office Action at p. 3. Claims 5, 9 and 12 have been canceled, therefore the rejection of these claims is now moot.

Applicants respectfully traverse the rejection and asserts that *Stadelmann* and *Hoffman*, alone or in combination, fail to disclose a washing machine comprising, at least, "a damper pin...an elastic member provided within the damper pin, wherein a hanging sill is provided to

one side of the damper pin and a hanging piece is provided to the other side of the damper pin to prevent the damper pin from being separated from the cabinet,” as recited in independent claim 1. Further *Stadelmann* and *Hoffman*, alone or in combination, fail to disclose a washing machine comprising, at least, “a damper pin rotatably joining the damper to the cabinet, the damper pin having a slot formed along a lateral side thereof; and a felt provided within the damper pin, wherein the felt is impregnated with a lubricant,” as recited in independent claim 8.

First regarding claim 1, the Office states that *Stadelmann* discloses a hanging sill and a hanging piece as claimed. Office Action at p. 4. Applicants, respectfully, but strongly disagree. The Office reads “the leftmost portion of the damper to the left of left groove, 27,” in *Stadelmann*, on the claimed “hanging sill.” Office Action at p. 4. Further the Office reads “the rightmost portion of the damper to the right of right groove, 27,” in *Stadelmann* on the claimed “hanging piece.” Office Action at p. 4. While the Office states “the damper,” Applicants assume the Office meant to indicate bearing sleeve 26, since Figure 6 was referenced.

The rightmost and leftmost portions of bearing sleeve 26, however, do not “prevent the damper pin from being separated from the cabinet,” as recited in independent claim 1. Rather, cheeks 23 of bearing 22a, as viewed in Figures 3 and 4 of *Stadelmann*, cooperate with grooves 27 to hold the bearing sleeve in place, such that “cheeks 23 engage with the circumferential grooves 27.” *Stadelmann* at col. 4, ll. 8-9. *Stadelmann*’s bearing sleeve 26, and bearing bolts 30 of Figures 7-14, are merely cylindrical bearings, and wholly fail to teach or suggest a hanging sill or hanging piece, as claimed.

Second regarding claims 1 and 8, the Office admits that *Stadelmann* fails to disclose “that there is an elastic member... having a predetermined elasticity... or a felter within the damper pin.” Office Action at p. 4. The Office then attempts to cure this deficiency with a purported teaching in *Hoffman* of a hollow pivot containing a material such as a spring steel. *Id.* Applicants disagree with the Office’s reasoning concerning *Hoffman*.

Neither *Stadelmann* or *Hoffman*, alone or in combination, teach or suggest, “an elastic member provided within the damper pin,” as recited in independent claim 1, or “a felt provided within the damper pin, wherein the felt is impregnated with a lubricant,” as recited in independent claim 8. As stated above, the Office admits that *Stadelmann* fails to disclose an

elastic member or felt. *Hoffman* fails to cure the deficiencies of *Stadelmann*. *Hoffman*, teaches an inner hollow tightening element inserted into a bush or shell *f* after the shell *f* has been inserted in a bore “without pre-compression,” i.e. in an unexpanded state. The inner hollow tightening element must be capable of, “resiliently press[ing] the element *f* in the fixed seats *a* and *b* on to the wall of the bore.” *Hoffman* p. 2, ll. 52-61. *Hoffman* teaches that the inner hollow tightening element can “consist of a strip rolled into S form (Fig. 17), or of a ribbed or fluted tube *o* (Fig. 18) or of a rolled steel strip *m* which overlaps at the edges (Fig 19).” *Id.* at p. 2, ll. 74-81. Nowhere does *Hoffman* teach or suggest any other tightening elements.

Moreover, Applicants respectfully contend that one of skill in the art at the time of the invention would have no motivation to combine *Stadelmann* with *Hoffman*. *Hoffman* was concerned with a component that would expand after it was inserted into a bore in an unexpanded state. For example, regarding “a felt... impregnated with a lubricant,” as recited in claim 8, Applicants assert that one would not look to felt to serve the function of an expanding element. Additionally, nowhere does *Hoffman* even contemplate incorporating a lubricant with the tightening element. Simply because *Hoffman* teaches the use of a tightening member, it does not automatically follow that any insert for a pin would be obvious. The Office appears to be employing improper hindsight reasoning here, and actually uses the teachings from Applicants’ own specification to arrive at the claimed invention. Applicants respectfully assert that the Office goes too far in its assertion of obviousness, and fails to present a *prima facie* case of obviousness, since *Hoffman* wholly fails to teach or suggest the claimed invention and one would not have been motivated to combine *Stadelmann* with *Hoffman* without the use of improper hindsight reasoning.

Accordingly, Applicants respectfully submit that claims 1 and 8 are patentably distinguishable over *Stadelmann* and *Hoffman*. Claims 2-4, 6, 7, 10, 11, and 13-15, which depend from independent claims 1 and 8, respectively, are also patentably distinguishable for at least the same reasons as discussed above. Accordingly, Applicants respectfully request that the Office withdraw the 35 U.S.C. § 103(a) rejection of claims 1-4, 6-8, 10, 11, and 13-15.

**CONCLUSION**

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911.

Respectfully submitted,

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